

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CAROL A. WILSON, *et al.*,

Plaintiffs,

v.

H & J CONSTRUCTION, Inc.,

Defendant.

Case No. 2:18-cv-1280

CHIEF JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Chelsey M. Vascura

ORDER

This matter is before the Court upon Plaintiffs' Carol A. Wilson, Administrator of Ohio Operating Engineers Health and Welfare Plan, Ohio Operating Engineers Pension Fund, Ohio Operating Engineers Apprenticeship and Training Fund, and Ohio Operating Engineers Education and Safety Fund and Trustees of the Ohio Operating Engineers Health and Welfare Plan, Ohio Operating Engineers Pension Fund, Ohio Operating Engineers Apprenticeship and Training Fund, and Ohio Operating Engineers Education and Safety Fund ("Plaintiffs") Motion for Default Judgment and Order of Audit (ECF No. 14). Upon consideration of the foregoing, the Clerk finds that Defendant is in default for failure to plead to the Complaint or the Amended Complaint and that a default judgment is authorized and appropriate pursuant to Rule 55(b)(1) and Rule 55(b)(2) of the Federal Rules of Civil Procedure. It is therefore:

ORDERED and **ADJUDGED** that judgment is entered in favor of Plaintiffs, Carol A. Wilson, Administrator, et al., and against Defendant Freedom Companies, Inc., as follows:

1. Audit findings/delinquent contributions for the period May 1, 2017 to January 1, 2018 in the amount of \$8,661.29;
2. Interest in the amount of \$2,208.69 calculated to April 15, 2019 plus \$129.93 per month thereafter as long as the judgment remains unpaid;

3. Statutory Interest in the amount of \$2,208.69 calculated to April 15, 2019 plus \$129.93 per month thereafter as long as the judgment remains unpaid; and
4. Court costs in the amount of \$400.00.

IT IS FURTHER ORDERED that Defendant make available to Plaintiffs for audit all the individual earnings records, weekly payroll journals, and other payroll records of Defendant, all quarterly withholding tax and FICA tax returns (Form 941); and all Form W-2s of Defendant for the unaudited period for all projects after May 1, 2017.

IT IS SO ORDERED.

6-4-2019
DATE



EDMUND A. SARGUS, JR.
CHIEF UNITED STATES DISTRICT JUDGE